

# **Exhibit 4**

Facility Number

52 - 02

- Division of Water Quality
- Division of Soil and Water Conservation
- Other Agency \_\_\_\_\_

Type of Visit     Compliance Inspection     Operation Review     Structure Evaluation     Technical AssistanceReason for Visit     Routine     Complaint     Follow up     Referral     Emergency     Other     Denied AccessDate of Visit: 10-22-07 Arrival Time: \_\_\_\_\_ Departure Time: \_\_\_\_\_ County: Jones Region: WaCOFarm Name: Banks Farms Owner Email: \_\_\_\_\_

Owner Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Physical Address: \_\_\_\_\_

Facility Contact: Jeff Thomas Title: \_\_\_\_\_ Phone No: \_\_\_\_\_Onsite Representative: Jeff Thomas Integrator: PSFCertified Operator: Frederick A. McLawhorn Operator Certification Number: 16338Back-up Operator: Justin T. McLawhorn Back-up Certification Number: 989076Location of Farm: \_\_\_\_\_ Latitude: 40° 16' 34" Longitude: 105° 45' 00"

Swine	Design Capacity	Current Population	Wet Poultry	Design Capacity	Current Population	Cattle	Design Capacity	Current Population
<input type="checkbox"/> Wean to Finish			<input type="checkbox"/> Layer			<input type="checkbox"/> Dairy Cow		
<input checked="" type="checkbox"/> Wean to Feeder	<u>4380</u>		<input type="checkbox"/> Non-Layer			<input type="checkbox"/> Dairy Calf		
<input checked="" type="checkbox"/> Feeder to Finish	<u>10320</u>					<input type="checkbox"/> Dairy Heifer		
<input type="checkbox"/> Farrow to Wean						<input type="checkbox"/> Dry Cow		
<input type="checkbox"/> Farrow to Feeder						<input type="checkbox"/> Non-Dairy		
<input type="checkbox"/> Farrow to Finish						<input type="checkbox"/> Beef Stocker		
<input type="checkbox"/> Gilts						<input type="checkbox"/> Beef Feeder		
<input type="checkbox"/> Boars						<input type="checkbox"/> Beef Brood Cow		
<b>Other</b>								
<input type="checkbox"/> Other								

Number of Structures: 3

**Discharges & Stream Impacts**

1. Is any discharge observed from any part of the operation?

 Yes     No     NA     NEDischarge originated at:     Structure     Application Field     Other

- a. Was the conveyance man-made?     Yes     No     NA     NE
- b. Did the discharge reach waters of the State? (If yes, notify DWQ)     Yes     No     NA     NE
- c. What is the estimated volume that reached waters of the State (gallons)?    \_\_\_\_\_
- d. Does discharge bypass the waste management system? (If yes, notify DWQ)     Yes     No     NA     NE

2. Is there evidence of a past discharge from any part of the operation?

 Yes     No     NA     NE

3. Were there any adverse impacts or potential adverse impacts to the Waters of the State other than from a discharge?

 Yes     No     NA     NE

Waste Collection & Treatment

4. Is storage capacity (structural plus storm storage plus heavy rainfall) less than adequate?

 Yes  No  NA  NE

a. If yes, is waste level into the structural freeboard?

Structure 1	Structure 2	Structure 3	Structure 4	Structure 5	Structure 6
Identifier: 1	2	3			

Spillway?: \_\_\_\_\_

Designed Freeboard (in): \_\_\_\_\_

Observed Freeboard (in): 32 48 64

5. Are there any immediate threats to the integrity of any of the structures observed?  
(ie/ large trees, severe erosion, seepage, etc.) Yes  No  NA  NE6. Are there structures on-site which are not properly addressed and/or managed  
through a waste management or closure plan? Yes  No  NA  NE

If any of questions 4-6 were answered yes, and the situation poses an immediate public health or environmental threat, notify DWQ

7. Do any of the structures need maintenance or improvement?

 Yes  No  NA  NE8. Do any of the structures lack adequate markers as required by the permit?  
(Not applicable to roofed pits, dry stacks and/or wet stacks) Yes  No  NA  NE9. Does any part of the waste management system other than the waste structures require  
maintenance or improvement? Yes  No  NA  NEWaste Application10. Are there any required buffers, setbacks, or compliance alternatives that need  
maintenance/improvement? Yes  No  NA  NE

11. Is there evidence of incorrect application? If yes, check the appropriate box below.

 Yes  No  NA  NE Excessive Ponding  Hydraulic Overload  Frozen Ground  Heavy Metals (Cu, Zn, etc.) PAN  PAN > 10% or 10 lbs  Total Phosphorus  Failure to Incorporate Manure/Sludge into Bare Soil Outside of Acceptable Crop Window  Evidence of Wind Drift  Application Outside of Area

12. Crop type(s) \_\_\_\_\_

13. Soil type(s) \_\_\_\_\_

14. Do the receiving crops differ from those designated in the CAWMP?

 Yes  No  NA  NE

15. Does the receiving crop and/or land application site need improvement?

 Yes  No  NA  NE

16. Did the facility fail to secure and/or operate per the irrigation design or wettable acre determination?

 Yes  No  NA  NE

17. Does the facility lack adequate acreage for land application?

 Yes  No  NA  NE

18. Is there a lack of properly operating waste application equipment?

 Yes  No  NA  NE

Comments (refer to question #): Explain any YES answers and/or any recommendations or any other comments.

Use drawings of facility to better explain situations. (use additional pages as necessary):

Reviewer/Inspector Name Megan H. Stilley

Phone: 948-3947

Reviewer/Inspector Signature: 

Date: 10-22-07

Facility Number: 52-02

Date of Inspection 10-22-07

Required Records & Documents

19. Did the facility fail to have Certificate of Coverage & Permit readily available?  Yes  No  NA  NE
20. Does the facility fail to have all components of the CAWMP readily available? If yes, check the appropriate box.  WUP  Checklists  Design  Maps  Other  Yes  No  NA  NE
21. Does record keeping need improvement? If yes, check the appropriate box below.  Yes  No  NA  NE
- Waste Application  Weekly Freeboard  Waste Analysis  Soil Analysis  Waste Transfers  Annual Certification  
 Rainfall  Stocking  Crop Yield  120 Minute Inspections  Monthly and 1" Rain Inspections  Weather Code
22. Did the facility fail to install and maintain a rain gauge?  Yes  No  NA  NE
23. If selected, did the facility fail to install and maintain rainbreakers on irrigation equipment?  Yes  No  NA  NE
24. Did the facility fail to calibrate waste application equipment as required by the permit?  Yes  No  NA  NE
25. Did the facility fail to conduct a sludge survey as required by the permit?  Yes  No  NA  NE
26. Did the facility fail to have an actively certified operator in charge?  Yes  No  NA  NE
27. Did the facility fail to secure a phosphorus loss assessment (PLAT) certification?  Yes  No  NA  NE

Other Issues

28. Were any additional problems noted which cause non-compliance of the permit or CAWMP?  Yes  No  NA  NE
29. Did the facility fail to properly dispose of dead animals within 24 hours and/or document and report the mortality rates that were higher than normal?  Yes  No  NA  NE
30. At the time of the inspection did the facility pose an odor or air quality concern? If yes, contact a regional Air Quality representative immediately  Yes  No  NA  NE
31. Did the facility fail to notify the regional office of emergency situations as required by General Permit? (ie/ discharge, freeboard problems, over application)  Yes  No  NA  NE
32. Did Reviewer/Inspector fail to discuss review/inspection with an on-site representative?  Yes  No  NA  NE
33. Does facility require a follow-up visit by same agency?  Yes  No  NA  NE

Additional Comments and/or Drawings:

Pull #16	Corn PAN 79.41	-4.67	Less than 10%
#20	Corn PAN 76.37	5.86	1976PM on IRR-2
#21	Corn PAN 91.31	8.79	

Waste Analysis 3-2-07 #1-1.2 #2-.89 #3-.86

Calibration 8-2-06 w/ 1976PM

↳ used 2456PM, but the solid set calibrated at 1976PM. When new flow rate put into IRR-2 no overapplication greater than 10% occurred.